

THIERMAN BUCK LLP

Reno, NV 89511  
(775) 284-1500 Fax (775) 703-5027  
Email info@thiermanbuck.com www.thiermanbuck.com

Mark R. Thierman, Nev. Bar No. 8285  
mark@thiermanbuck.com  
Joshua D. Buck, Nev. Bar No. 12187  
josh@thiermanbuck.com  
Leah L. Jones, Nev. Bar No. 13161  
leah@thiermanbuck.com  
**THIERMAN BUCK, LLP**  
7287 Lakeside Drive  
Reno, Nevada 89511  
Tel. (775) 284-1500  
Fax. (775) 703-5027  
*Attorneys for Plaintiffs*

James J. Jimmerson, Nev. Bar No. 264  
[jjj@jimmersonlawfirm.com](mailto:jjj@jimmersonlawfirm.com)  
Kevin Hejmanowski  
[kjh@jimmersonlawfirm.com](mailto:kjh@jimmersonlawfirm.com)  
**JIMMERSON LAW FIRM**  
415 S. Sixth St., Suite 100  
Las Vegas, NV 89101  
Tel. (702) 388-7171  
Fax. (702) 380-6422  
*Attorneys for Defendants*

**UNITED STATES DISTRICT COURT**

# DISTRICT OF NEVADA

ROBERT GREENE, THOMAS SCHEMKES, and GREGORY GREEN on behalf of themselves and all others similarly situated.

### **Plaintiffs.**

VS.

JACOB TRANSPORTATION SERVICES, LLC, a Nevada Corporation, doing business as Executive Las Vegas; JAMES JIMMERSON, an individual, CAROL JIMMERSON, an individual, and Does 1 through 50, inclusive,

### Defendants.

Lead Case No.: 2:09-CV-00466-GMN-CWH  
Consolidated with:  
Member Case No. 2:11-CV-00355-JAD-NJK

**ORDER GRANTING PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

The Application for Preliminary Approval of a Class Action Settlement came before this Court, the Honorable Gloria M. Navarro presiding, on June 26, 2018. This Court, having considered the papers submitted in support of the application of the parties, HEREBY ORDERS THE FOLLOWING:

1. This Court grants preliminary approval of the Settlement and the Settlement Classes based upon the terms set forth in the Joint Stipulation of Settlement and

- 1 Release between Plaintiffs and Defendants ("Stipulation of Settlement") filed  
2 herewith. The Settlement appears to be fair, adequate and reasonable to the Class.  
3
2. The Settlement falls within the range of reasonableness and appears to be  
4 presumptively valid, subject only to any objections that may be raised at the final  
5 fairness hearing and final approval by this Court.  
6
3. A final fairness hearing on the question of whether the proposed Settlement,  
7 attorneys' fees to Class Counsel, and the Class Representatives Enhancement  
8 Awards should be finally approved as fair, reasonable and adequate as to the  
9 members of the Class is scheduled in accordance with the Implementation  
10 Schedule set forth below.  
11
4. This Court approves, as to form and content, the Notice of Pendency of Class  
12 Action, Proposed Class Action Settlement, and Hearing Date for Court Approval  
13 ("Notice of Pendency of Class Action"), in substantially the form attached to the  
14 Stipulation of Settlement as Exhibit A, and the Claim Form in substantially the  
15 form attached thereto as Exhibit B. This Court approves the procedure for Class  
16 Members to participate in, to opt out of and to object to, the Settlement as set forth  
17 in the Notice of Pendency of Class Action.  
18
5. This Court directs the mailing of the Notice of Pendency of Class Action and  
19 Proposed Settlement, and the Claim Forms by first class mail to the Class  
20 Members in accordance with the Implementation Schedule set forth below. This  
21 Court finds the dates selected for the mailing and distribution of the Notice and  
22 the Claim Form, as set forth in the Implementation Schedule, meet the  
23 requirements of due process and provide the best notice practicable under the  
24 circumstances and shall constitute due and sufficient notice to all persons entitled  
25 thereto.  
26
6. It is ordered that the Settlement Class is preliminarily certified for settlement  
27 purposes only.  
28

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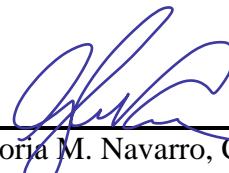
7. This Court confirms Plaintiffs Robert Greene, Thomas Schemkes, and Gregory Green as Class Representatives and Thierman Buck, LLP as Class Counsel.
  8. This Court confirms Simpluris as the Claims Administrator.
  9. To facilitate administration of the Settlement pending final approval, this Court hereby enjoins Plaintiffs and all Class Members from filing or prosecuting any claims, suits or administrative proceedings (including filing claims with the Nevada Office of the Labor Commissioner) regarding claims released by the Settlement unless and until such Class Members have filed valid Requests for Exclusion with the Claims Administrator and the time for filing claims with the Claims Administrator has elapsed.
  10. This Court orders the following **Implementation Schedule** for further proceedings:

1	a.	Deadline for Defendants to Submit Class Member Information to Claims Administrator	July 6, 2018, by 5:00 p.m. [10 calendar days after Order granting Preliminary Approval]
2	b.	Deadline for Claims Administrator to Mail the Notice and the Claim Form to Class Members	July 10, 2018 [14 calendar days after Order granting Preliminary Approval]
3	c.	Deadline for Class Members to Postmark Claim Forms	August 9, 2018 [30 calendar days after initial mailing of the Notice and Claim Form to Class Members]
4	d.	Deadline for Class Members to Postmark Requests for Exclusions	August 9, 2018 [30 calendar days after initial mailing of the Notice and Claim Form to Class Members]
5	e.	Deadline for Receipt by Court and Counsel of any Objections to Settlement	August 9, 2018 [30 calendar days after initial mailing of the Notice and Claim Form to Class Members]
6	f.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, Attorneys' Fees, Costs, and Enhancement Award	September 10, 2018 [7 calendar days before Final Approval Hearing]
7	g.	Deadline for Class Counsel to File Declaration from Claims Administrator of Due Diligence and Proof of	September 10, 2018 [7 calendar days before Final Approval Hearing]
8	h.	Final Fairness Hearing and Final Approval	Monday, September 17, 2018 at 2:30 p.m. in
9	i.	Deadline for Defendants to Fund Settlement Account maintained by Claims Administrator	September 22, 2018 [5 calendar days after Effective Date]
10	j.	Deadline for Claims Administrator to wire transfer the Attorneys' Fees and Costs to Class Counsel (if Settlement is Effective)	October 1, 2018 [5 calendar days after Defendants Fund Settlement Account]
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1 2 3 4 5 6	k.  Deadline for Claims Administrator to mail the Settlement Awards to Class Members and the Enhancement Awards to Class Representatives (if Settlement is Effective)	October 2, 2018 [10 days after Defendants Fund Settlement Account]
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	l.  Claims Administrator to File Proof of Payment of Settlement Awards, Enhancement Award, Attorneys' Fees and Costs (if Settlement is Effective)	December 17, 2018 [90 calendar days after Effective Date]

**IT IS SO ORDERED.**

Dated this 26 day of June, 2018.



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Gloria M. Navarro, Chief Judge  
United States District Court